

DECLARATION OF OIL AND GAS NOTICE

BOOK **677** PAGE **423**

(Tax Map 11, Webster District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

RESERVE COAL PROPERTIES COMPANY

CONSOLIDATION COAL COMPANY

McELROY COAL COMPANY

CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.
1000 CONSOL ENERGY DRIVE
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **DENNIS R. McCRACKEN**, its ASST. MANAGER, by authority duly given.

JAN FEST
MARSHALL County 09:32:25 AM
Instrument No 1265139
Date Recorded 03/04/2009
Document Type O&G
Book-Page 677-423
Recording Fee \$6.00
Additional \$6.00


CONRHEIN COAL COMPANY
a Pennsylvania corporation:

By: 

Its: ASSISTANT MANAGER

IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

CONSOLIDATION COAL COMPANY
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **ROBERT P. KING**, its **VICE PRESIDENT**, by authority duly given.

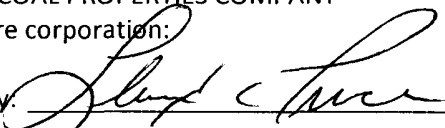
CONSOL PENNSYLVANIA COAL COMPANY LLC
a Delaware limited liability company:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

RESERVE COAL PROPERTIES COMPANY
a Delaware corporation:

By: 

Its: **VICE PRESIDENT**

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 15 day of January, 2009, by Charles T. Shapnak, its Vice President, by authority duly given.

MCELROY COAL COMPANY
a Delaware corporation:

By: Charles T. Shapnak
Its: Vice President

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 23 day of JANUARY, 2009, by **LLOYD C. PRICE**, its **VICE PRESIDENT**, by authority duly given.

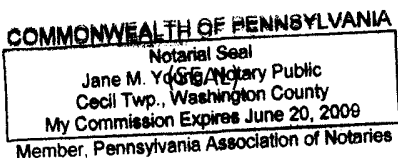
CNX LAND RESOURCES INC.
a Delaware corporation:

By: Lloyd C. Price
Its: **VICE PRESIDENT**

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **DENNIS R. McCRACKEN**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASSISTANT MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



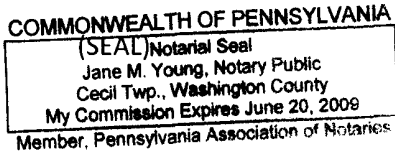
Jane M. Young
Notary Public

My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

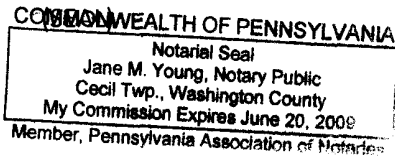


Jane M. Young
Notary Public
My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **ROBERT P. KING**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

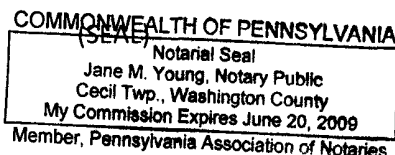


Jane M. Young
Notary Public
My Commission expires _____

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared **LLOYD C. PRICE**, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.

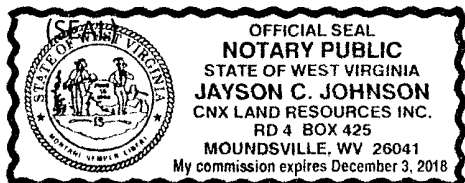


Jane M. Young
Notary Public
My Commission expires _____

~~State of West Virginia~~
~~COMMONWEALTH OF PENNSYLVANIA~~
COUNTY OF Marshall

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Before me, Jayson C. Johnson, a Notary Public, on this day personally appeared Charles T. Shaynok, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the Vice President of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 15 day of January, 2009.

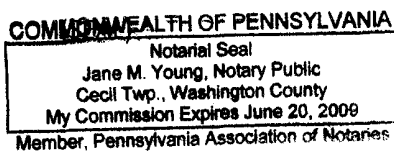


Jayson C. Johnson
Notary Public

My Commission expires December 3, 2018

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared LOYD C. PRICE, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the **VICE PRESIDENT** of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 23 day of JANUARY, 2009.



Jane M. Young
Notary Public

My Commission expires _____

This Document Prepared By:

J. Kevin Ellis
WV Bar No. 9964
Steptoe & Johnson PLLC
1085 Van Voorhis Road
PO BOX 1616
Morgantown, WV 26507
(304) 598-8000

5016691

EXHIBIT A - SURFACE TRACTS (BAILEY MINE)
Tax Map 11, Webster District, Marshall County, West Virginia

Tax Map	Parcel	Last Name	First Name	Street Address	City	State	Zip	Assessment Description	Reference
11	1	KINNEY	JOHN DAVID	RR 4 BOX 89	CAMERON	WV	26033	24.261 WOLF RUN	520/364
11	2	GITTINGS	DALE & WANDA	RR 4 BOX 87	CAMERON	WV	26033	15.121 PLEASANT VALLEY	301/111
11	3	GITTINGS	DALE & WANDA	RR 4 BOX 87	CAMERON	WV	26033	11.52 CHESTNUT RIDGE	301/112
11	4	WILSON	GEORGE W & LENORA MARIE	RR 3 BOX 423	WHEELING	WV	26003	11.80 CHESTNUT RIDGE & ROY 1/2 INT	625/565
11	5	PETTIT	JANCE E	RR 4 BOX 97	CAMERON	WV	26033	13 WOLF RUN	WB66/639
11	6	PETTIT	BERDIE - LIFE	RR 4 BOX 95A	CAMERON	WV	26033	31.11 WOLF RUN	579/214
11	7	KINNEY	DAVID	RR 4 BOX 89	CAMERON	WV	26033	38.805 A CHESTNUT RIDGE	WB72/262
11	7.3	GITTINGS	DALE & WANDA	RR 4 BOX 87	CAMERON	WV	26033	5.562 A CHESTNUT RIDGE	634/531
11	7.4	SANNER	ELROY E & TRISHA L	RR 4 BOX 100	CAMERON	WV	26033	58.03 A CHESTNUT RIDGE & O&G	647/4
11	8	KINNEY	KATHY	RR 4 BOX 89A	CAMERON	WV	26033	51.807 A CHESTNUT RIDGE	639/644
11	9	KINNEY	DAVID L ET AL	1801 MEIGHEN AVE	MOUNDSVILLE	WV	26041	69.129 WOLF RUN	542/549
11	10	SCHMIDT	RANDALL B	RD 4 BOX 249	CAMERON	WV	26033	100 CAMERON ROAD POLE BLDG	657/350
11	11	CONSOL PENNSYLVANIA COAL CO		1000 CONSOL ENERGY	CANONSBURG	PA	15317	25.86 STULLS RUN	668/330
11	12	CONSOL PENNSYLVANIA COAL CO		1000 CONSOL ENERGY	CANONSBURG	PA	15317	59 ACRES CAMERON ROAD	668/330
11	13	STROPE	MILDRED G EST	RR 4 BOX 204	CAMERON	WV	26033	134 DRY RIDGE	WB74/544
11	14	SCARLATA	JOSEPH TRUSTEE	411 ROUTE 68	COLUMBUS	NJ	8022	93 DRY RIDGE & O&G	632/582
11	17	STROPE	MILDRED G EST	RR 4 BOX 204	CAMERON	WV	26033	25.50 DRY RIDGE & O&G	WB74/544
11	18	CONSOL PENNSYLVANIA COAL CO		1000 CONSOL ENERGY	CANONSBURG	PA	15317	155.02 DRY RIDGE	603/687
11	19	RIGGLE	RALPH CURTIS	RR 4 BOX 247	CAMERON	WV	26033	133.61 DRY RIDGE	510/463
11	20	RIGGLE	RALPH CURTIS	RR 4 BOX 247	CAMERON	WV	26033	26 DRY RIDGE	510/463
11	21	MCCRACKEN	ROGER D ET AL	RR 4 BOX 247B	CAMERON	WV	26033	200 A CALIS	575/588

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PESE, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 23rd day of January 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 4th day of March 2009 at 9:32 o'clock A.M.

TESTE: Jan Pest Clerk.